

Message

From: Orrock, James [Orrock.James@epa.gov]
Sent: 9/7/2022 11:46:17 AM
To: Nguyen, Khue [Nguyen.Khue@epa.gov]; Payne, Allison [Payne.Allison@epa.gov]; Weissenborn, Lauren [Weissenborn.Lauren@epa.gov]; Reaves, Elissa [Reaves.Elissa@epa.gov]; Britton, Cathryn [Britton.Cathryn@epa.gov]; Giles-Parker, Cynthia [Giles-Parker.Cynthia@epa.gov]
CC: Koch, Erin [Koch.Erin@epa.gov]
Subject: RE: CFS litigation update
Attachments: D322215.mem.pdf; D463211.pdf

Hello, Everyone,

While I was working on the draft FR for the difenoconazole new uses, I did need to address 1,2,4 metabolites. We were pointing back to a 2022 HED risk assessment, which points back to a 2006 HED risk assessment (both attached in this e-mail).

In the 2006 risk assessment, this is what it says:

nitrogen atoms at the 1, 2, and 4 positions. In 2000, the Agency delayed granting registration of any new triazole pesticides or new uses of already registered triazole pesticides pending resolution of a number of toxicological, occupational/residential, and dietary exposure concerns, and issued data call ins for a number of studies. At this time sufficient data are available to support a risk assessment for these metabolites. Based on the toxicological information available at this time, HED has conducted two assessments: one for 1,2,4-triazole (1,2,4-T) and one for combined exposure to triazole alanine (TA) and triazole acetic acid (TAA). Both assessments are highly conservative, screening-level evaluations in terms of the hazards associated with these

Bonnie may be worth contacting to see if she knows more in HED?

James Orrock, Ph.D.

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From: Nguyen, Khue <Nguyen.Khue@epa.gov>
Sent: Tuesday, September 6, 2022 6:31 PM
To: Payne, Allison <Payne.Allison@epa.gov>; Weissenborn, Lauren <Weissenborn.Lauren@epa.gov>; Reaves, Elissa <Reaves.Elissa@epa.gov>; Britton, Cathryn <Britton.Cathryn@epa.gov>; Giles-Parker, Cynthia <Giles-Parker.Cynthia@epa.gov>
Cc: Orrock, James <Orrock.James@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>
Subject: RE: CFS litigation update

Hi Allison,

Ex. 5 DPP, ACP, AWP

Cynthia—you said previously there were discussions between the agency and companies on pending actions back then. You recalled a letter went out to all companies outlining our concerns and data needs—perhaps these records are in the jackets? Do you know which chemical case and which products we should look for?

Thanks,

Khue Nguyen
Team Leader
Risk Management and Implementation Branch 5
Pesticide Reevaluation Division
Office of Pesticide Programs, US EPA
202-566-2356

From: Payne, Allison <Payne.Allison@epa.gov>
Sent: Tuesday, September 6, 2022 5:00 PM
To: Weissenborn, Lauren <Weissenborn.Lauren@epa.gov>; Reaves, Elissa <Reaves.Elissa@epa.gov>; Britton, Cathryn <Britton.Cathryn@epa.gov>; Giles-Parker, Cynthia <Giles-Parker.Cynthia@epa.gov>
Cc: Nguyen, Khue <Nguyen.Khue@epa.gov>; Orrock, James <Orrock.James@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>
Subject: RE: CFS litigation update

Thanks, Lauren for getting back to me.

Ex. 5 DPP, ACP, AWP

Allison Payne
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency
202-564-8501
(she/her/hers)

From: Weissenborn, Lauren <Weissenborn.Lauren@epa.gov>
Sent: Thursday, September 1, 2022 3:46 PM
To: Payne, Allison <Payne.Allison@epa.gov>; Reaves, Elissa <Reaves.Elissa@epa.gov>; Britton, Cathryn <Britton.Cathryn@epa.gov>
Cc: Nguyen, Khue <Nguyen.Khue@epa.gov>; Orrock, James <Orrock.James@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>
Subject: RE: CFS litigation update

Hi Allison:

In follow up from our discussion this am, **Ex. 5 DPP, ACP, AWP**

labels have been stamped yet. Here is a little more detail from them:

"Per your request, I took a look at the status of the Difenconazole Labels I our database. There 44 labels in the database as of September 1, 2022. Most of them were received within the past two months.

One label was canceled (100-1441). Only two of them were sent to QC for review (100-1453 and 100-15290). None of them have been stamped."

Reminder that we had previously said that there are 83 expected labels, and 43 have been submitted, which is confirmed by the database pull.

Let me know if you have any additional questions.

Thank you!

Lauren Weissenborn
Chemical Review Manager | RMIBV
Pesticide Re-Evaluation Division
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U.S. Environmental Protection Agency
Weissenborn.Lauren@epa.gov

From: Payne, Allison <Payne.Allison@epa.gov>

Sent: Thursday, September 1, 2022 9:03 AM

To: Reaves, Elissa <Reaves.Elissa@epa.gov>; Britton, Cathryn <Britton.Cathryn@epa.gov>; Weissenborn, Lauren <Weissenborn.Lauren@epa.gov>

Cc: Nguyen, Khue <Nguyen.Khue@epa.gov>; Orrock, James <Orrock.James@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>

Subject: CFS litigation update

Good morning all,

We have some quickly developing updates on the CFS litigation challenging the difenoconazole ID.

Ex. 5 DPP, ACP, AWP

We'll keep you updated once we have a briefing schedule in place and have had the chance to digest CFS's motion. Thank you all in advance and please let me know if you have any questions in the meantime.

Allison Payne
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